

MINUTE ITEM

This Calendar Item No. 57
was approved as Minute Item
No. 57 by the State Lands
Commission by a vote of 9
to 0 at its 9/27/76
meeting.

CALENDAR ITEM

39.

9/7/76
W 20326
AMB
PRC 5192

CUTTING BOUNDARY AGREEMENT BETWEEN STATE LANDS COMMISSION
AND U. S. DEPARTMENT OF AGRICULTURE, FOREST SERVICE, KLAMATH
NATIONAL FOREST, EMBRACING STATE SCHOOL LANDS - NE 1/4, OF
SE 1/4, SECTION 16, T. 40 N., R. 10 W., M.D.M., IN
SISKIYOU COUNTY

The U. S. Department of Agriculture, Forest Service, Klamath National Forest proposed a cutting boundary agreement proposal with the State Lands Division, by letter dated March 20, 1972, embracing State school lands described as the NE 1/4 of SE 1/4, Section 16, T. 40 N., R. 10 W., M.D.M., in Siskiyou County.

In explanation as to their need for a cutting boundary agreement, the Forest Service informed the Division that a timber sale was under preparation in the Music Creek area. In the preparatory work, using 1971 aerial photographs, the Forest Service believed that their South Russian Road - 40N54 crossed a portion of the described school land. The basis for their location of the subject school land stemmed from past work by the Forest Service Regional Office in transferring the land grid from USGS quadrangle map to 1955 aerial photos. The Forest Service subsequently transferred the corners of the State land from the 1955 aerial photos to the 1971 aerial photos. This location showed a portion of the aforesaid road on the State land, which also included removal of right of way timber. The Forest Service desired that this situation be corrected. A Cutting Boundary Agreement would be the initial step with a resolution of the timber trespass and road easement to follow.

A review of the Division records showed that the subject school land could not be accurately located for appraisal purposes upon a field inspection in October, 1955, due to the lack of known and found official survey monuments in the general area. For this reason, the NE 1/4 of the SE 1/4, Section 16, T. 40 N., R. 10 W., M.D.M., was deleted from the vacant school lands list for use as exchange base on January 6, 1956. At that time it was considered that the only practical solution would be to establish a compromise location of the subject land with the Forest Service and exchange the land for other Federal land which could be located.

On April 12, 1972, the Division informed the Forest Service that, in view of the survey problem surrounding this State school land, it was willing to proceed with a cutting boundary agreement, following the transfer of the points from the aerial photo to the ground.

The forest engineer completed on-the-ground establishment of the four corners, identifying two witness trees for each corner in late May, 1972.

A 1

S 1

CALENDAR ITEM NO. 39. (CONTD)

In early June, 1976, Division staff made a field check of the corners so located by the Forest Service Engineer and the densely forested State land lying within the boundaries thereof. The calculated area of the subject NE 1/4 of the SE 1/4 was found to contain 44.7 acres, more or less, based upon bearings and distances of the respective sides of the parcel provided by the forest.

The proposed Cutting Boundary Agreement was drawn up to establish, for timber-cutting purposes only, the four corners of the NE 1/4 of SE 1/4, Section 16, T. 40 N., R. 10 W., M.D.M., has been reviewed and approved by the Division.

A copy of the proposed agreement is on file in the office of the State Lands Division and by reference made a part hereof.

Pursuant to Public Resources Code Section 6370.1, the State Lands Division has found that the State school land in this transaction is not identified as environmentally significant and is not classified in a significant use category.

EXHIBITS: A. Location Map. B. Cutting Boundary Agreement.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC 21065, AND 14 CAL. ADM. CODE 15037.
2. AUTHORIZE THE EXECUTION OF A CUTTING BOUNDARY AGREEMENT IN THE FORM OF EXHIBIT "B" ON FILE IN THE OFFICE OF THE STATE LANDS DIVISION AND BY REFERENCE MADE A PART HEREOF, BETWEEN THE STATE OF CALIFORNIA, STATE LANDS COMMISSION AND THE UNITED STATES DEPARTMENT OF AGRICULTURE, FOREST SERVICE, KLAMATH NATIONAL FOREST.